

Notice of Allowability

Application No.

09/220,962

Examiner

Simon Sing

Applicant(s)

CRUICKSHANK ET AL. *E*

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/07/2004.
2. ☒ The allowed claim(s) is/are 1-77.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 20041007.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Drawings

1. The drawings were received on 05/31/2004. These drawings are unacceptable because they contained un-uniform hand written numerals and markings. They also combined pages 1 and 2 (figures 1-4), and pages 9 and 10 (figures 12-14) into two pages instead of four as previous (12/28/1998) submitted drawings.

Response to Arguments

2. Applicant's arguments, see the Remark filed on 09/07/2004 with respect to claims 1 – 77 have been fully considered and are persuasive. The final rejection of claims 1 - 77 has been withdrawn.

Allowable Subject Matter

3. Claims 1 - 77 are allowed.

The following is an examiner's statement of reasons for allowance:

The applicant claimed a system and method for indicating a receipt of a stored message from a source. The allowable subject matter of this invention is: "generating an information signal relating the stored message to at least one graphical image associated with the source". As disclosed in the specification (page 20, lines 6-14), the information signal is a message notification signal including a graphical data related to a digital representation of at least one graphical image available from a caller's profile. In

other words, the generated information signal **links** the stored message to an image such that a recipient is able to access both the stored message and the image (stored in a database) based on the information provided in the information signal.

Prior art of Dawson (US 6,252,588) teaches an email server for sending a sender's picture, included in an email message for replacing an email address to notify a recipient of a stored email message from said sender. Dawson's picture of the sender does not relate a stored email message to one graphical image because the image itself is a notification signal.

Prior art of Yablon (US 5,764,731) discloses a customized caller ID in a callback system. Yablon teaches that a caller may customized his caller ID with telephone number, name, sound, pictorial and video information (column 5, lines 57-66). When a caller is connected to an answering machine or voicemail system, the caller may send his customized caller ID to the answering machine in addition to leaving a voice message. The answering machine or voicemail system then notifies a called party by sending the customized caller ID, plus date and time of a call received, to a called party's telephone device (column 6, lines 48-67; column 7, lines 1-2; column 28, lines 56-60). Yablon teaches sending a caller's pictorial information to the called party in a notification signal, but the pictorial information in a notification signal does not relate a stored voice message to an image of the caller, since the pictorial information is already in the notification signal and there is no image to be related to.

Prior art of French-St. George et al. (US 6,122,348) discloses a method and system for storing a subscriber's information, including telephone number, name,

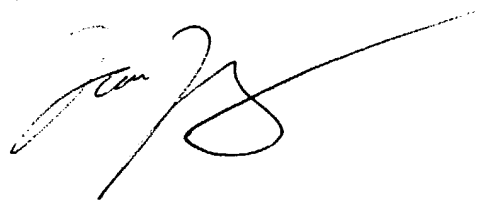
photos, videos, text or audio, to be stored in a subscriber's profile within a server 115 located in a telephone network 100, and the stored subscriber's information allows a recipient to know the subscriber (calling party) (figure 1; column 6, lines 1-9). French-St. George teaches sending an alerting signal to notify a recipient of a communication event. The alerting signal includes the subscriber's caller ID which may comprising a photo, and a topic of the communication event to be displayed on a recipient device (column 6, lines 32-37; column 7, lines 9-16). French-St. George has the same defect as Yablon such that the alerting signal does not relate a stored message to a graphical image.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

S.S.

10/07/2004

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

A handwritten signature in black ink, appearing to be 'Fan Tsang', written over the printed name and title.